

# HB6071



## 99TH GENERAL ASSEMBLY

### State of Illinois

2015 and 2016

HB6071

Introduced 2/11/2016, by Rep. Jerry F. Costello, II

#### SYNOPSIS AS INTRODUCED:

720 ILCS 5/12C-5

was 720 ILCS 5/12-21.6

Amends the Criminal Code of 2012. Increases the penalty for endangering the life or health of a child in which the violation is a proximate cause of the death of the child from a Class 3 felony for which a person, if sentenced to a term of imprisonment, shall be sentenced to a term of not less than 2 years and not more than 10 years to a Class 2 felony for which a person, if sentenced to a term of imprisonment, shall be sentenced to a term of not less than 3 years and not more than 14 years.

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CORRECTIONAL  
BUDGET AND  
IMPACT NOTE ACT  
MAY APPLY

A BILL FOR

1 AN ACT concerning criminal law.

2 **Be it enacted by the People of the State of Illinois,**  
3 **represented in the General Assembly:**

4 Section 5. The Criminal Code of 2012 is amended by changing  
5 Section 12C-5 as follows:

6 (720 ILCS 5/12C-5) (was 720 ILCS 5/12-21.6)

7 Sec. 12C-5. Endangering the life or health of a child.

8 (a) A person commits endangering the life or health of a  
9 child when he or she knowingly: (1) causes or permits the life  
10 or health of a child under the age of 18 to be endangered; or  
11 (2) causes or permits a child to be placed in circumstances  
12 that endanger the child's life or health. It is not a violation  
13 of this Section for a person to relinquish a child in  
14 accordance with the Abandoned Newborn Infant Protection Act.

15 (b) A trier of fact may infer that a child 6 years of age or  
16 younger is unattended if that child is left in a motor vehicle  
17 for more than 10 minutes.

18 (c) "Unattended" means either: (i) not accompanied by a  
19 person 14 years of age or older; or (ii) if accompanied by a  
20 person 14 years of age or older, out of sight of that person.

21 (d) Sentence. A violation of this Section is a Class A  
22 misdemeanor. A second or subsequent violation of this Section  
23 is a Class 3 felony. A violation of this Section that is a

1 proximate cause of the death of the child is a Class 2 ~~3~~ felony  
2 for which a person, if sentenced to a term of imprisonment,  
3 shall be sentenced to a term of not less than 3 ~~2~~ years and not  
4 more than 14 ~~10~~ years. A parent, who is found to be in  
5 violation of this Section with respect to his or her child, may  
6 be sentenced to probation for this offense pursuant to Section  
7 12C-15.

8 (Source: P.A. 97-1109, eff. 1-1-13.)